

## DECLARATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

### ONE-DIMENSIONAL ARRAYS ON OPTICAL FIBERS

the specification of which (I authorize Choate, Hall & Stewart to check one of the following, three choices, and fill in the blanks, if applicable):

  X   is attached hereto

       was filed on                                  as Application  
Serial No.                                  and amended on                                  (if applicable).

       was filed as PCT international application No.                                 ,  
on                                  and was amended under PCT Article 19  
on                                  (if applicable).

I hereby state that I have reviewed and understood the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledged the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s):

Priority Claimed

<u>                                </u> (Number)	<u>                                </u> (Country)	<u>                                </u> (Day/Month/Year/Filed)	<u>      </u> Yes <u>      </u> No
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<u>                                </u> (Number)	<u>                                </u> (Country)	<u>                                </u> (Day/Month/Year/Filed)	<u>      </u> Yes <u>      </u> No
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I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) or PCT international application(s) designating the United States of America listed

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below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

09/253,153                      2/19/99                      Pending  
(Application Serial No.)      (filing date)                      (status-patented, pending, abandoned)

PCT Applications designating the United States:

\_\_\_\_\_  
(PCT Appl. No.)                      (U.S.S.N.)                      (status-patented, pending, abandoned)

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national filing date of this application.

Provisional Application(s):

60/075,629                      2/21/98                      Abandoned  
Application Number                      Filing Date                      Status

\_\_\_\_\_  
Application Number                      Filing Date                      Status

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United State Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Full name of first inventor: Alan W. Schwabacher

Inventor's signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence: 4060 North Farwell Avenue, Shorewood, Wisconsin 53211-0413

Citizenship: USA

Post Office Address: Same as above

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Full name of second inventor: Peter Geissinger

Inventor's signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence: 4110 North Farwell Avenue, Shorewood, Wisconsin 53211

Citizenship: Germany

Post Office Address: Same as above

Exchange.3106823.1

**00000000000000000000000000000000**

ATTORNEY'S DOCKET NO.:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Schwabacher *et al.*  
Serial No.:  
Filed: March 24, 2000  
For: ONE-DIMENSIONAL ARRAYS ON OPTICAL FIBERS

Assistant Commissioner of Patents  
Washington, DC 20231

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
37 CFR 1.9(f) and 1.27(c)  
SMALL BUSINESS CONCERN

I hereby declare that I am  
( ) the owner of the small business concern identified below:  
(X) an official empowered to act on behalf of the small business concern identified below:

NAME OF CONCERN: WiSYS Technology Research Foundation, Inc.  
ADDRESS OF CONCERN: 614 Walnut Street, 13th Floor, Madison, WI 53707

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For the purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full time, part time, or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when, either directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract of law have been conveyed to and remain with the small business concern identified above with regard to the invention titled:

TITLE: ONE-DIMENSIONAL ARRAYS ON OPTICAL FIBERS

by:  
INVENTOR(S): Alan W. Schwabacher and Peter Geissinger

described in:

- (X) the specification filed herewith  
( ) U.S. Patent Application Serial Number \_\_\_\_\_  
filed \_\_\_\_\_  
( ) U.S. Patent Number \_\_\_\_\_  
issued \_\_\_\_\_

If the rights of the above-identified small business concern are not exclusive, each individual, concern, or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor(s), who could not qualify as a small business concern under 37 CFR 1.9(d) or a non-profit organization under 37 CFR 1.9(e).

\*NOTE: Separate verified statements are required from each named person, concern, or organization having rights to the invention, averring to their status as small entities. (37 CFR 1.27).

FULL NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
( ) INDIVIDUAL ( ) SMALL BUSINESS CONCERN ( ) NON-PROFIT ORGANIZATION

FULL NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
( ) INDIVIDUAL ( ) SMALL BUSINESS CONCERN ( ) NON-PROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: Carl E. Guldbrandsen  
TITLE IN ORGANIZATION: Managing Director  
ADDRESS OF PERSON SIGNING: WiSYS Technology Research Foundation, Inc.  
614 Walnut Street, 13th Floor  
Madison, WI 53707

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

**ATTORNEY'S DOCKET NUMBER:**  
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**



Applicant: Schwabacher *et al.*  
Serial Number:  
Filed Date: March 24, 2000  
Title: ONE-DIMENSIONAL ARRAYS ON OPTICAL FIBERS

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

**APPOINTMENT OF ATTORNEY**

The undersigned hereby appoints Brenda Herschbach Jarrell, Registration No. 39,223; Sam Pasternack, Registration No. 29,576; Kevin M. Tormey, Registration No. 41,351; Karoline Shair, Registration No. 44,332; Elizabeth Nugent, Registration No. 43,839, Valarie B. Rosen, Registration No. P-45,698 and Stanley C. Mah, Registration No. P-46,189 as its attorneys and agents for prosecution of matters relating to the above-identified patent application and to conduct all business in the United States Patent and Trademark Office.

All correspondence should be sent to Brenda Herschbach Jarrell, Choate, Hall & Stewart, Exchange Place, 53 State Street, Boston, Massachusetts 02109.

Respectfully submitted,

\_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
On behalf of \_\_\_\_\_

Dated: March \_\_\_, 2000

ATTORNEY'S DOCKET NUMBER:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Schwabacher *et al.*  
Serial Number:  
Filing Date: March 24, 2000  
Title: ONE-DIMENSIONAL ARRAYS ON OPTICAL FIBERS



Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

ESTABLISHING RIGHT OF ASSIGNEE TO TAKE ACTION  
(37 CFR 3.73(b))

The assignee of the entire right, title and interest of inventors the University of Wisconsin-Milwaukee, hereby seeks to take action in the Patent and Trademark Office in the above matter.

Ownership by the assignee is established as follows:

\_\_\_\_\_ documents already recorded in the PTO on \_\_\_\_\_.

Reel \_\_\_\_\_ Frame \_\_\_\_\_ ; and

  X   documents\*separately submitted for recordal to the PTO (a copy of these documents is attached).

**STATEMENT**

I, a person authorized to sign on behalf of the assignee, have reviewed the evidentiary documents referred to above and certify that, to the best of my knowledge and belief, title is mine/ours as assignees who seek to take further action.

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Signature of Authorized Person

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Name of Authorized Person

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Title of Authorized Person

Respectfully submitted,

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Brenda Herschbach Jarrell  
Reg. No. 39,223

Choate, Hall & Stewart  
Exchange Place  
53 State Street  
Boston, MA 02109  
(617) 248-5000

Date: March \_\_, 2000



**ASSIGNMENT**

In consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, the undersigned **Alan W. Schwabacher** of Shorewood, WI; and **Peter Geissinger** of Shorewood, WI hereby

Sell, assign and transfer to **WiSYS Technology Research Foundation, Inc.** having a place of business at **614 Walnut Street, 13th Floor, Madison, WI 53707**, its successors, assigns and legal representatives, all hereinafter referred to as the ASSIGNEE, the entire right, title and interest for the United States and all foreign countries, in and to any and all inventions which are disclosed in the application for United States Letters Patent filed **March 24, 2000**, Serial No. \_\_\_\_\_, entitled "**ONE-DIMENSIONAL ARRAYS ON OPTICAL FIBERS**" and in and to said application and all divisional, continuing, substitute, renewal, reissue and all other applications for Letters Patent which have been or shall be filed in the United States and all foreign countries on any of said inventions; and in and to all original and reissued patents which have been or shall be issued in the United States and all foreign countries on said inventions including the right to apply for patent rights in each foreign country and all rights to priority.

Agree that said ASSIGNEE may apply for and receive Letters Patent for said inventions in its own name; and when requested, without charge to but at the expense of said ASSIGNEE, agree to carry out in good faith the intent and purpose of this assignment by executing all divisional, continuing, substitute, renewal, reissue, and all other patent applications on any and all said inventions, by executing all rightful oaths, assignments, powers of attorney and other papers, by communicating to said ASSIGNEE all facts known to us relating to said inventions and the history thereof, and generally by doing everything possible which said ASSIGNEE shall consider desirable for aiding in securing and maintaining proper patent protection for said inventions and for vesting title to said inventions and all applications for patents and all patents on said inventions, in said ASSIGNEE.

Hereby request the Honorable Commissioner of Patents and Trademarks to issue said Letters Patent to said ASSIGNEE.

Covenant with said ASSIGNEE that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by us, and that full right to convey the same as herein expressed is possessed by us.

IN WITNESS WHEREOF, I hereto set my hand and seal at \_\_\_\_\_,  
\_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, 2000.

\_\_\_\_\_  
**Alan W. Schwabacher**

STATE OF \_\_\_\_\_  
SS.  
COUNTY OF \_\_\_\_\_.

Before me this \_\_\_\_\_ day of \_\_\_\_\_, 2000, personally appeared  
**Alan W. Schwabacher** known to me to be the person whose name of subscribed to the  
foregoing Assignment and acknowledged that he executed the same as his free act and deed for  
the purposes therein contained.

.....  
NOTARY PUBLIC

[Notary's Seal Here]

My Commission Expires:

IN WITNESS WHEREOF, I hereto set my hand and seal at \_\_\_\_\_,  
\_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, 2000.

\_\_\_\_\_  
**Peter Geissinger**

STATE OF \_\_\_\_\_  
SS.  
COUNTY OF \_\_\_\_\_.

Before me this \_\_\_\_\_ day of \_\_\_\_\_, 2000, personally appeared  
**Peter Geissinger** known to me to be the person whose name of subscribed to the foregoing  
Assignment and acknowledged that he executed the same as his free act and deed for the  
purposes therein contained.

.....  
NOTARY PUBLIC

[Notary's Seal Here]

My Commission Expires: